

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-6 and 8-19 are currently pending. No claims have been amended herewith.

In the outstanding Office Action, Claims 1, 2, 5, 6, 8, 9, and 12-17 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,327,533 to Chou (hereinafter "the '533 patent"); and Claims 3, 4, 10, 11, 18, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the '533 patent in view of U.S. Patent No. 6,618,004 to Fenton et al. (hereinafter "the '004 patent").

Applicants wish to thank the Examiner for the interview granted Applicants' representative on July 28, 2004, at which time the outstanding rejection of the claims was discussed. In particular, the teachings of the '533 patent with respect to the claimed means for selecting a destination and the means for selecting a data format were discussed. However, no agreement was reached pending the Examiner's further consideration of the claims upon formal submission of a response to the outstanding Office Action.

Claim 1 is directed to a computer-implemented position tracking system, comprising: (1) means for selecting a destination of position information related to a remotely located device; (2) means for selecting a data format for the position information; (3) means for transmitting the position information to the selected destination in the selected data format; (4) means for receiving the position information from the remotely located device via a wide-area network using a protocol; and (5) means for mapping the received position information as location indicators on a map.

The '533 patent is directed to a method and apparatus for continuously tracking moving objects in real time anywhere in the world. In particular, the '533 patent discloses a smart mobile unit that receives and uses GPS satellite positioning data to continuously

determine its current position in map-ready units, and to transmit the position output “using an automatically selected wireless mode of communication, to a central processing station for map generation and display processing.”<sup>1</sup> Further, the ‘533 patent discloses that authorized clients may log onto the central processing station to view the object from anywhere in the world. However, Applicants respectfully submit that the ‘533 patent fails to disclose (1) means for selecting a destination position information related to a remotely located device; and (2) means for selecting a data format for the position information, as recited in amended Claim 1. Rather, the ‘533 patent discloses a system in which position information is always sent to a central processing station, rather than to a selected destination, and is always sent in a fixed data format.<sup>2</sup> The ‘533 patent does not disclose a choice in the destination or the data format. Accordingly, Applicants respectfully traverse the rejection of Claim 1 (and dependent Claims 2, 5, and 6) as anticipated by the ‘533 patent.

Independent Claims 8 and 14 recite limitations analogous to limitations recited in Claim 1. Accordingly, for the reasons stated above for the patentability of Claim 1, Applicants respectfully traverse the rejection of Claim 8 (and dependent Claims 9, 12 and 13) and Claim 14 (and dependent Claims 15-17) as anticipated by the ‘533 patent.

Regarding the rejection of dependent Claims 3, 4, 10, 11, 18, and 19, Applicants respectfully submit that the ‘004 patent fails to remedy the deficiencies of the ‘533 patent, as discussed above. Thus, no matter how the teachings of the ‘533 and ‘004 patents are combined, the combination does not teach or suggest the selecting steps recited in independent Claims 1, 8, and 14. Accordingly, Applicants respectfully submit that a *prima facie* case of obviousness has not been established and the rejection of dependent Claims 3, 4, 10, 11, 18, and 19 should be withdrawn.

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<sup>1</sup> Abstract of the ‘533 patent.

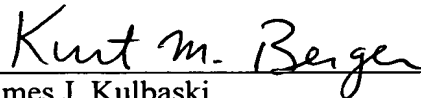
<sup>2</sup> Further, Applicants note that the passage in the ‘533 patent asserted in the Office Action to show means for selecting a data format refers to the format used to map the data after the data is received at the central processing section. See ‘533 patent, column 6, line 59 to column 7, line 7.

Thus, it is respectfully submitted that independent Claims 1, 8, and 14 (and all associated dependent claims) patentably define over any proper combination of the '533 and '004 patents.

Consequently, in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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